

(e) In considering the scope of the domestic market, consideration shall be given to substitute products which are reasonably interchangeable in terms of price, quality and use.

(f) The fact that the number of existing manufacturers is small shall not demonstrate, in and of itself, that adequate competition among them does not exist.

[36 FR 7812, Apr. 24, 1971, as amended at 36 FR 18734, Sept. 21, 1971; 37 FR 15922, Aug. 8, 1972. Redesignated at 38 FR 26609, Sept. 24, 1973, and amended at 52 FR 17288, May 7, 1987]

**§ 1311.43 Certificate of registration; denial of registration.**

(a) The Administrator shall issue a Certificate of Registration (DEA Form 223) to an applicant if the issuance of registration or reregistration is required under the applicable provisions of section 1008 of the Act (21 U.S.C. 958). In the event the issuance of registration or reregistration is not required, the Administrator shall deny the application. Before denying any application, the Administrator shall issue an order to show cause pursuant to § 1311.47 and, if requested by the applicant, shall hold a hearing on the application pursuant to § 1311.51.

(b) The Certificate of Registration (DEA Form 223) shall contain the information, and shall be maintained in the manner prescribed in § 1301.44(b) of this chapter.

[36 FR 7812, Apr. 24, 1971, as amended at 37 FR 15922, Aug. 8, 1972. Redesignated at 38 FR 26609, Sept. 24, 1973, and amended at 53 FR 4963, Feb. 19, 1988]

**§ 1311.44 Suspension or revocation of registration.**

(a) The Administrator may suspend any registration pursuant to section 1008(d) of the Act (21 U.S.C. 958(d)) for any period of time.

(b) The Administrator may revoke or suspend a registration issued under section 1008(d) of the Act (21 U.S.C. 958(d)) if he determines that such registration is inconsistent with the public interest as defined in that section or with the United States obligations under international treaties, conventions, or protocols in effect on October 12, 1984.

(c) The Administrator may revoke or suspend a registration issued under section 1008(c) of the Act (21 U.S.C. 958(c)) if he determines that such registration is inconsistent with the public interest as defined in that section or with the United States obligations under international treaties, conventions, or protocols in effect on October 12, 1984.

(d) The Administrator may limit the revocation or suspension of a registration to the particular controlled substance, or substances, with respect to which grounds for revocation or suspension exist.

(e) Before revoking or suspending any registration, the Administrator shall issue an order to show cause pursuant to § 1311.47, and if requested by the registrant, shall hold a hearing pursuant to § 1311.51. Notwithstanding the requirements of this section, however, the Administrator may suspend any registration pending a final order pursuant to § 1311.45.

(f) Upon service of the order of the Administrator suspending or revoking registration, the registrant shall immediately deliver his Certificate of Registration and any order forms and import or export permits in his possession to the nearest office of the Administrator. The suspension or revocation of a registration shall suspend or revoke any import or export permits issued pursuant to part 1312 of this chapter. Also, upon service of the order of the Administrator revoking or suspending registration, the registrant shall, as instructed by the Administrator:

(1) Deliver all controlled substances in his possession to the nearest office of the Administration pursuant to section 1008(d)(6) of the Act (21 U.S.C. 958(d)(6)); or

(2) Deliver all controlled substances in his possession to authorized agents of the Administration who will either remove the substances or place them under seal as described in section as described in section 1008(d)(6) of the Act (21 U.S.C. 1008(d)(6)).

(g) In the event that revocation or suspension is limited to a particular controlled substance or substances, the registrant shall be given a new Certificate of Registration for all substances